

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |                               |
|---|-------------------------------|
| In Re:                                    | : Bankruptcy No: 21-13132-amc |
| Joseph J. O'Donnell and Cheryl Lovenstein | : Chapter 13                  |
| a/k/a Cheryl O'Donnell                    | :                             |
|   | :                             |
| Debtors                                   | :                             |

**RESPONSE OF ALLIED MORTGAGE GROUP INC. C/O BSI FINANCIAL SERVICES  
IN OPPOSITION TO DEBTOR'S OBJECTION TO PROOF OF CLAIM**

Allied Mortgage Group, Inc. c/o BSI Financial Services ("Respondent"), by and through its undersigned counsel, Pincus Law Group, PLLC, hereby submits this Response in Opposition ("Answer") to Debtors Joseph J. O'Donnell and Cheryl Lovenstein a/k/a Cheryl O'Donnell's ("Debtors") Objection to Proof of Claim ("Objection"), and in support thereof, avers as follows:

1. Denied. This allegation refers to a writing which speaks for itself and is specifically denied. By way of further response, the Proof of Claim was not filed by "U.S. Bank National Association not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 Cottage-TT-V" but it was filed by Respondent. It further specifically denied that Respondent's Proof of Claim no. 4-1 (the "Claim") is incorrect and inaccurate. Records supporting the calculation of Respondent's Claim, which were taken from the business records kept in the ordinary course of Respondent's business, are attached to the Claim. A true and correct copy of the filed Claim is attached hereto as Exhibit "A."

2. Denied. This allegation refers to a writing which speaks for itself and is specifically denied. The pre-petition fees and costs due in the amount of \$20,630.82 and the escrow advances of \$30,286.66 were actually paid. A breakdown of the calculation of the pre-petition fees, costs due is located on pages 8-9 and 48-52 of Exhibit "A," Respondent's Claim.

Respondent also attaches copies of paid invoices as further documentation of proof of the amounts paid for fees and costs as Exhibit “B”. By way of further response, the Debtors have been in foreclosure for over 5 years since the Foreclosure Action was filed on August 30, 2017 in Montgomery County, Pennsylvania, Docket # 2017-21585. A copy of the Foreclosure Docket is attached hereto as Exhibit “C.” Debtors have also filed Bankruptcy multiple times in this Court at Bankruptcy Dockets 18-13452, 19-11165 and the current case. During these time periods, Respondent had to pay for both foreclosure and bankruptcy related fees and costs as well as make escrow advances on the property. Thus, Debtors’ allegations are specifically denied and strict proof thereof is demand at trial to the extent relevant.

3. Denied. This allegation refers to a writing which speaks for itself and is specifically denied. By way of further response, Respondent is in the process of identifying any applicable sheriff’s refunds and will credit them accordingly in due course.

4. Denied. This allegation refers to a writing which speaks for itself.

5. Denied. Respondent incorporates by reference its response to paragraph 2 herein by way of further response. Thus, Debtors’ allegations are specifically denied and strict proof thereof is demand at trial to the extent relevant.

6. Denied. Respondent incorporates by reference its response to paragraph 2 herein by way of further response. Thus, Debtors’ allegations are specifically denied and strict proof thereof is demand at trial to the extent relevant.

7. Denied. While it is admitted that discussion were had in an effort to resolve the first filed Objection to Proof of Claim, no amount was agreed upon yet which would have allowed Respondent to file an Amended Proof of Claim. However, Respondent remains open to settlement discussions.

**WHEREFORE**, Respondent Allied Mortgage Group, Inc. c/o BSI Financial Services respectfully requests that this Honorable Court overrule the Debtors’ objection to Respondent’s

Claim and allow the Claim in its entirety.

Dated: August 12, 2022

Respectfully submitted,

**PINCUS LAW GROUP, PLLC**

By: /s/ Sherri J. Smith  
Sherri J. Smith, Esquire  
2929 Arch Street  
Philadelphia, PA 19104  
Telephone: 516-699-8902  
Fax: 516-279-6990  
Email: [ssmith@pincuslaw.com](mailto:ssmith@pincuslaw.com)